

REMARKS

Claims 1-16 and 18 are pending. By this Amendment, claim 5 is cancelled, claims 1-4, 6-16, and 18 are amended and no new claims are added. Support for the amendments can be found throughout the specification and figures as originally filed, specifically on page 12 at paragraph 64 of the specification.

Claim Rejections – 35 U.S.C. § 103

Claims 1-16 and 18 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over the book “Breads” in view of the book “Professional Baking.” Independent claims 1, 12, and 18 have been amended to include the limitation that a cutting force forms cuts extending from about ninety to about ninety-eight percent of a thickness of the dough intermediate enabling said plasticizing agent to embed within fissures created between the lobes, sections, portions, or combinations thereof thereby increasing a taste experience, and subjecting the dough intermediate to a refrigeration or freezing step after a intermediate heat or energy treatment step and before a final finishing step. Insofar as the rejections apply to the newly amended claims, Applicants respectfully traverse the rejections.

Neither the “Breads” reference nor the “Professional Baking” reference, alone or in combination, discloses or suggests an intermediate dough product having aesthetic features formed from cuts extending from about ninety to about ninety-eight percent of a thickness of the dough intermediate enabling said plasticizing agent to embed within fissures created between the lobes, sections, portions, or combinations thereof thereby increasing a taste experience, as recited in the claims in combination with the other limitations. Rather, the “Breads” reference teaches

forming a cloverleaf roll by joining small balls of dough (p. 28), folding for a double crust wherein a crease rather than a cut is made (p. 28), or cutting a shallow slash along a roll (p. 26). The “Breads” reference does not contemplate creating such cuts or fissures enabling said plasticizing agent to embed within fissures created between the lobes, sections, portions, or combinations thereof thereby increasing a taste experience. The “Professional Baking” reference is cited for its teaching of the major functions of fats in baked items, and does not make up for the deficiencies of the “Breads” reference.

Further, Applicants respectfully disagree that “[i]t would have been obvious to one skilled in the art to determine the optimum BSV for the particular dough made,” as stated on page 3 of the Office Action. The present disclosure is directed to an intermediate dough product that, by application of a plasticizing agent to an entirety of its external surface, is able to be par-baked, subsequently refrigerated and/or frozen, and then subjected to a finishing step without compromising final BSV or product quality. As stated in the Background section of the present disclosure, “[o]ne of the difficulties associated with frozen and refrigerated dough products that make up today’s food service offerings and retail product presentations is that the products do not increase significantly in volume or size from that of their frozen or refrigerated condition.” Page 2, paragraph 5. Applicants respectfully submit that the Examiner has not pointed to any evidence that one of ordinary skill in the art would look to the teachings of either “Breads” or “Professional Baking”, alone or in combination, to come to a solution as claimed in the present invention for the above-stated problem to create a resulting final baked dough product that has improved organoleptic properties. The “Breads” reference teaches “Rolls – Quickly Shaped and Speedily Baked” and other bread recipes and techniques for forming and baking in immediate

subsequent steps, without concern for the final BSV after the intermediate product has been refrigerated and/or frozen.

Therefore, claims 1, 12, and 18 are allowable. Claims 2-5 and 6-11 depend from claim 1, and claims 13-16 depend from claim 12, and are allowable for at least the same reasons the underlying base claims are allowable.

In view of the foregoing, it is submitted that this application is in condition for allowance. Favorable consideration and prompt allowance of the application are respectfully requested.

The Examiner is invited to telephone the undersigned if the Examiner believes it would be useful to advance prosecution.

Respectfully submitted,



Daidre L. Burgess
Registration No. 60,389

Customer No. 24113
Patterson, Thuente, Skaar & Christensen, P.A.
4800 IDS Center
80 South 8th Street
Minneapolis, Minnesota 55402-2100
Telephone: (612) 252-1558